



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 13, 2010

Flying B #29  
Attn: Gurinder Bains  
1307 N Dolarway Rd  
Ellensburg, WA 98926

RE: December 3, 2010 Cathodic protection testing

Dear Mr. Bains:

On December 7, 2010, I received the results for cathodic protection evaluations completed at Flying B #29. The tests were completed by Kevin Wilkerson, an ICC certified CP tester. To verify the results prepared by Mr. Wilkerson, both Arthur Buchan and I reviewed the galvanic and impressed current cathodic protection checklists for compliance. Please review the attached letter.

Based on our reviews, the following is required.

1. Submit an impressed current evaluation checklist signed by Mr. Wilkerson. Without his signature, the checklist cannot be accepted.
2. Submit an updated Section VIII with "DC Voltage on Rectifier Output Terminal" in both the As Found and As Left sections. These are required fields.
3. Provide documentation regarding the date the rectifier tap settings were changed, including the name of the individual who adjusted them. As noted in Mr. Buchan's review, the tap settings have been adjusted since a June 24, 2010 audit of the system.
4. Have an UST supervisor evaluate the piping on Tank 2 (10,000-gallon unleaded tank) for cathodic protection and submit the checklist immediately. According to Ecology records, including individual tank information provided at the time the tanks were registered, the piping on this tank uses the impressed current cathodic protection system to protect it from corroding. Mr. Wilkerson did not include piping during the December 7, 2010 evaluations.

**Please submit the information requested above by January 3, 2010 to the following address:**

Dept. of Ecology  
Attn. Krystal Rodriguez  
15 W Yakima Ave., Suite 200  
Yakima, WA 98902



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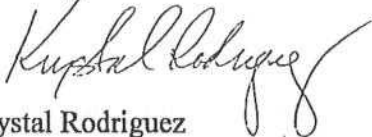


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Also, I encourage you to please review the fourth bullet in Mr. Buchan's letter. He states that "an excellent continuity test would be to show all parts of the UST system (and tanks) that were designed to be protected are continuous with the rectifier". To ensure the tanks are adequately cathodically protected, Mr. Buchan recommends additional testing to show continuity between tanks and with the rectifier. However this is not required.

Please contact me immediately if there is a portion of this letter that requires clarification. My phone number is (509) 454-7290.

Sincerely,

A handwritten signature in black ink, appearing to read "Krystal Rodriguez", with a stylized flourish at the end.

Krystal Rodriguez  
Underground Storage Tank Inspector  
Toxics Cleanup Program

Enclosure: CP evaluation review by Arthur Buchan

By certified mail: 7009 2250 0004 4951 6114

cc: Kevin Wilkerson, NW Environmental Solutions



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

December 13, 2010

Mrs. Krystal Rodriguez  
Underground Storage Tank Inspector  
Washington State Department of Ecology  
15 West Yakima Ave., Suite 200  
Yakima, WA 98902-3452

Dear Mrs. Rodriguez:

I was asked to review Department of Ecology (Ecology) Impressed Current Checklist completed by International Code Council (ICC) Cathodic Protection (CP) Service Provider Kevin Wilkerson on 12, December 2010 at the following location:

Flying B #29  
1611 South Canyon  
Ellensburg, WA 98929

A detailed summary of the results is as follows:

- **IV. CP Tester failed to signed checklist.** Discussion: As per WAC 173-360-630, the certified supervisor shall sign the checklist provided by the department within 30 days of completion of activities. As a result Ecology should not accept an unsigned checklist.
- **VIII. (Rectifier "As Found" and "As Left" Data).** An audit was performed on this site on 24, June 2010 and rectifier tap settings were set at Course-2, Fine-5. The current checklist provided by the Service Provider has both "As Found" and "As Left" tap settings listed as Course-4, Fine-1. Discussion: As per WAC 173-360-320(2), Cathodic Protection Systems shall be inspected for proper operation by an UST Supervisor. As a result, when did the tap settings change? Either the owner changed them, another UST Supervisor changed them, or Kevin Wilkerson changed them. As a result Ecology should require documentation of the change of the tap settings.
- **VIII. (DC Voltage on Rectifier Output Terminal).** For both the "As Found", and "As Left" data, the check of the panel meter by measuring DC Voltage on a multimeter was not documented. Discussion: As per WAC 173-360-630, the checklist must be completed, and "DC Voltage on Rectifier Output Terminal" is a required field. As a result, Ecology should not accept an incomplete checklist.
- **XI. (Impressed Current Cathodic Protection System Continuity Survey).** Tanks should show continuity with each other and show continuity with the rectifier. Discussion: Although the standard does not specify certain continuity testing, an excellent continuity test would be to show all parts of the UST System (and tanks) that were designed to be protected are continuous with the rectifier (a good test would be a point - to - point test from the contact point to the negative lead of the rectifier). This is only a recommendation, and not enforceable.





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15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 6, 2010

Short Stop, LLC  
Attn: Gurinder Bains  
1307 N Dolarway Rd  
Ellensburg, WA 98926

Re: Notice of Penalty with the Underground Storage Tank Regulations  
Flying B 29, 1611 S Canyon Rd., Ellensburg, WA  
UST Site # 10589  
Facility/Site ID # 386

Dear Mr. Bains:

Pursuant to Chapter 90.76 Revised Code of Washington and Chapter 173-360 Washington Administrative Code (WAC), the Washington State Department of Ecology is required to regulate underground storage tanks and UST systems. On October 7, 2010, I issued a Notice of Non-Compliance for the following violation.

**WAC 173-360-320: Failure to comply with corrosion protection requirements.**

*The last CP survey submitted to Ecology was conducted on April 27, 2007. On June 24, 2010, Ecology used the Flying B 29 facility to train staff on corrosion protection testing. I contacted you immediately to report our finding: both the impressed current and galvanic corrosion protection systems were not providing adequate protection to the tanks. It was not realized until after the training event that CP tests were overdue. I suggested you immediately have your CP systems tested to defer Ecology pursuing this as a compliance issue.*

*On October 7, 2010, I issued a Notice of Non-Compliance for failing to test cathodic protection systems within three years. You stated the test had been completed during the summer. The report had not been submitted to Ecology. The NONC required that CP system tests and checklists be submitted by November 1, 2010. On October 15, 2010, Ecology received a faxed CP Evaluation Checklist. The form was not filled out completely and I explained, on October 18<sup>th</sup>, that I could not accept the results.*



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*I contacted you again on November 29, 2010 and provided you the rest of the week (until December 3<sup>rd</sup>) to submit CP checklists. You agreed that this deadline was reasonable. Kevin Wilkerson, your cathodic protection tester, planned to retest both systems at Flying B during the week and fax the results. I warned that a Notice of Penalty would be issued on December 6<sup>th</sup> if this deadline was not met. I have not received any documents.*

You have been provided ample time to have the required testing completed. In fact, multiple deadlines have been passed. Therefore, this Notice of Penalty, Docket No.8145 (Penalty # UST 3402) is being issued in the amount of \$200 for the following:

**WAC 173-360-320: Failure to test CP systems with required frequency.**

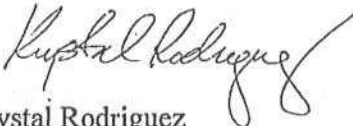
Cathodic protection evaluations must be conducted on both the galvanic and impressed current systems at Flying B. **The checklists must be submitted by December 20, 2010** to the following address.

Department of Ecology  
Attn: Krystal Rodriguez  
15 W Yakima Ave., Suite 200  
Yakima, WA 98902

Failure to comply with these requirements may result in administrative order and/or penalties of up to \$5,000.00 per violation per day of non-compliance.

If you have any questions regarding this letter or the enclosed documents, please feel free to contact me at (509) 454-7290 or [krod461@ecy.wa.gov](mailto:krod461@ecy.wa.gov).

Sincerely,



Krystal Rodriguez  
Underground Storage Tank Inspector  
Toxics Cleanup Program

Encl: Notice of Penalty, Docket No. 8145 (# UST 3402)

By Certified Mail: 7009 2250 0004 4951 4677

cc: Penalty Desk, Fiscal Office